



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

HAYDEN

Serial No.: 10/708,867

Filed: March 29, 2004

Atty. File No.: 47315.0038

For: "DISTRIBUTED NETWORK  
STORAGE SYSTEM WITH  
VIRTUALIZATION"

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

) Group Art Unit: 2171

) Examiner: not yet assigned

) Confirmation No.: 2866

CERTIFICATE OF MAILING	
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, ALEXANDRIA, VA 22313 ON <u>Sept 20, 2004</u> .	
HOLLAND & HART LLP	
BY:	

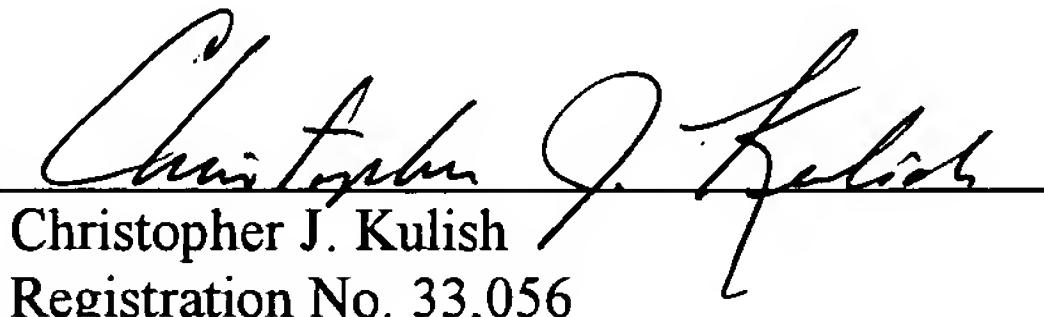
**SUBMISSION OF MISSING PARTS**  
(37 C.F.R. §1.53(f))

Dear Sir:

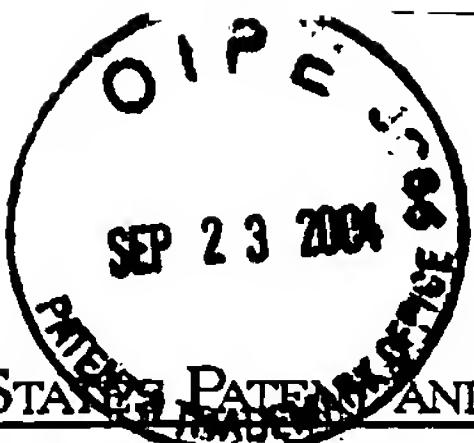
In response to the Notice to File Missing Parts dated May 27, 2004, in connection with the above-identified application, enclosed herewith please find a Declaration document that has been executed by the inventor. Also enclosed please find a check in the amount of \$900.00 to cover the filing fee and surcharge. Please credit any overpayment or debit any underpayment to Deposit Account 08-2623. A copy of the Notice to File Missing Parts is also enclosed.

Respectfully submitted,

HOLLAND & HART LLP

By:   
Christopher J. Kulish  
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Date: September 20, 2004  
3281114\_1.DOC



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JPW

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/708,867	03/29/2004	Mark G. Hayden	47315.0038

CONFIRMATION NO. 2866

25928  
CHRISTOPHER J. KULISH, ESQ  
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DENVER, CO 80201-8749

FORMALITIES LETTER



\*OC000000012787555\*

Date Mailed: 05/27/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/24/2004 MMEKONEN 00000114 10708867

01 FC:1001  
02 FC:1051

770.00 OP  
130.00 OP

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*SLW*

*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE